G. R. S. IX-5]

Previous references.

1890-1.

~~191~~ .

(

Later references.

File No. 14-1890

Serial Nos. 1-12.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-12

M ~~Part~~ B for may 1893

SUBJECT.

Civil powers to the special magistrate K.G.F.

Annexed

W D 88—GPB—50,000—24-7-16

Why? I have the written anything?

In the
In the papers sent
to me there is nothing
to show whether the
Magistrate can attend to
the Court work or not.
But as the Judges
of the Chief Court
are Visitors to the
powers being transferred
to the Magistrate, the
Govt themselves may be
directed to visit
Gold Mines once a
month or so, & conduct
trials on the spot.
a suggestion whether
the Govt themselves

2

considers questn

feasible -

22/10/92.

(6)

To the Undersecy

The Dewan says that this subject of Court honors for the Sh^e Majesty at the Gold mines was brought up at the last D.C. Assembly Hardy handed a Note however much of the Representation of the Ryots

This was then subsequent to the Correspondence in the Chief Court put up here below.

In the light of the Decisions at the D.C.A. the Dewan does not understand why the Limited Male Caucasian Powers of Municipality may not be conferred on the Sh^e Majesty for the Borough of Kolar or even for the Gold Mines and any Group of Villages. The former will be better understood & therefore preferable to the latter

Recd 1st Dec/92 Rec'd 9.12.92

X Refer letter of Subscriber 9.12.92

Extracts from my notes of those of Mr. Ramaswamier 1/Dec

Subd to the PSG Devan
for further orders

21/1

Send to Mr Ramachandra Iyer
for favour of opinion

21/1

Subd
21/1

Opinion recorded
in a separate memo

27/1/93

Subd to PSG Devan

27/1

Please see my remarks
on Mr Ramachandra Iyer's
memo —

29/1/93.

This file is incomplete. Correspce of
1890 on the subject & the
papers cited in the Residents
letter below are not here. Send
for them early.

26/2/93 cs

(3)

Extracts from Notes of Discussions at Bangalore
Representative Assembly – 1892

Mr. Narain Rao's Notes

Mr. Collins — Spl. Magistrate should be invested with Civil powers + Civil Court is 20 miles away from the Gold Fields.

Dewan –. A good idea – we will do something soon.

Mr Lamanaswamiengar's Notes

Mr Collins instanced. That considerable inconvenience was being felt owing to the frequent absenting of the Managers and others to attend the Munsiff's Court at Kolar and prayed that the Spl. Magistrate at the Gold Fields be empowered to hear and dispose of Civil suits – The Dewan after consulting the Chf Jud. Offr. said that the idea was a good one & that he would be able to do something in that direction

N° 244
336. 90

From

The Assistant to the Resident
in Mysore

To

The Dewan of Mysore

Dated Bangalore 23rd January 1891.

Sir

not found on the file The attention of the Resident has been called to letter No 1/388 dated the 21st of November 1890 from the Secretary to the Kolar Mining Board to the address of your Chief Secretary regarding the appointment of a resident magistrate for the Gold fields.

2 I am desired to say that the Resident holds with the arguements set forth in that letter and trusts that the Durbar will be able to meet with the wishes of the Gold mining Board so far as to appoint a European to be the resident magistrate.

3 The suggestion to invest the magistrate also with power to try petty civil cases seems good but of secondary importance to the appointment of a European which indeed seems to be almost a necessity considering that a large and constantly increasing number of Europeans are employed on the mines

4 I am to ask that the Resident

favored with the opinion of the Durbar on the points raised in the above mentioned letter before final orders are passed and a reply sent to it.

I have the honor to be
Sir
Your most obedient servant
(signed) L. S. Newmarch.
Assistant to the Resident

(General Serial No. 30.)

189 2253.

S. 180-92

From Secretary to the Kolar Gold Fields Mining Board. (2)

To The Chief Secretary

Dated 26-8-92

Despatched

Received

Enclosures No.

General No.

No

Courts 21-1892-87

Communicating the resolution of the Board in requesting the Special Magistrate with Civil Powers

Judl. Br. MSR 27/8/92

V

THE KOLAR GOLD FIELD MINING BOARD.

OORGAUM

Mysore Province, 26th May 1892

(2)

To

The Chief Secretary of the
Dewan
Bangalore

Sir,

I am instructed by my Board to write to you again with reference to the question of investing the Special Magistrate of the Kolar Gold Fields with Civil Powers, and I would refer you to their Letter of the 21st November 1890 Para VI

The matter was again carefully considered by the Board at their Meeting held yesterday and the following resolution was carried unanimously

That a letter should be addressed to the Dewan "of Mysore asking him to "invest the Special Magistrate "of the Kolar Gold Fields with "Civil powers"

The Board now have the honor to ask that you will kindly bring this to the notice of the Mysore Durbar and that the powers asked for will be granted.

The matter is one of the questions that will be put forward for discussion at the coming Dassara Assembly

I have the honor
To be Sir
Your most obedt. servant
John P. Elphick
Secretary

(General Serial No. 39).

1892 4417

From The Secretary Kolar Gold Field Mining Board. Bangalore

To The Chief Secretary to the Dewan of Mysore

Dated 29th October.

Despatched

Received

Enclosures No.

General No.

No.

Bringing to notice an instance that occurred and which bears very strongly on the necessity of the Special Magistrate of the Kolar Gold Field being invested with Civil powers.

Submitted for order.

Mark

30/10/92

Circulated to the Councillors for favor of their opinions

By order

6/11/92

The

Courts 21-1892

On principle, I see no objection to a Magistrate being invested with Civil powers.—, but I know no means of securing whether the special Magistrate has sufficient time for the work per Member Medleycott would be able to give his opinion on the matter letter.—

16/11/92

Put up

Please put up the recent correspondence we have on the subject this Sixth month & Oblige

17/11/92

Submitted

18/11/92.

5

THE KOLAR GOLD FIELD MINING BOARD.

OORGAUM

Mysore Province, 29th Oct. 1892

(14)

To the

Chief Secretary

of the Durbar

Sir,

I have the honor to bring to your notice an instance that occurred and which bears very strongly on the necessity of the Special Magistrate of the Kolar Gold Field being invested with Civil powers.

The Superintendent of the Nundydroog Co. was summoned to appear at the Court held at Kolar Town as a witness, to give evidence in a case between a Naiky & coolie, he was in the Court a very short time and the distance he travelled to give such simple evidence was about

28 miles. It appears to the Board that if the natives find that they can get European evidence so cheaply that the different Superintendents will be constantly called upon to attend that Court and much of the Superintendents valuable time will be lost.

The Board have directed me to represent this instance to you in the hope that the Dewan will grant their request to invest the Special Magistrate of the Kolar Gold Field with Civil Powers as soon as possible.

The Board understand that the Dewan received this subject very favorably at the last Dassara Assembly

I have the honor, To be Sir,

Your most obed't Servant

John B. Plyfair

Secretary

Yours very truly,

Thomas Jefferson

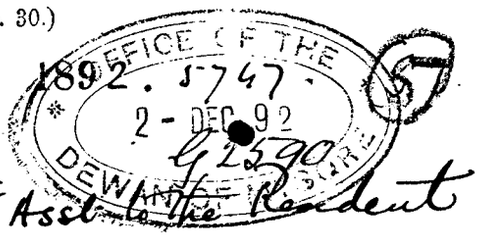
Dear Sir,

Your favor of the 10th inst. came duly to hand, and I am much pleased to find that the Commissioners have agreed to the terms proposed by the Legislature of Virginia for the cession of the territory lying North West of the Ohio. I am in hopes that the Deputies will soon meet in Congress, when I shall be able to inform you more certainly what will be done. I am sensible of the importance of the navigation of the Mississippi to the Western country, and that it is the only channel through which the produce of that country can be conveyed to market. I am therefore anxious that the Spanish restrictions should be taken off, and that we should enjoy the right of navigating that river as well as the Spaniards. I am in hopes that the Commissioners will be able to effect this object. I am sorry to find that the Assembly of Virginia have not yet made provision for the payment of the British debts. I am afraid that the neglect will be charged to the Federal Government, and will be used as an argument against them. I am Dear Sir

Yours sincerely

Thomas Jefferson

(General Serial No. 30.)



1892. 5747.
2-DEC-92
G 2590

Courts 21-1892-3

From The 1st Asst to the Resident in Mysore

To The Dewan of Mysore

Dated 2nd December

Despatched

Received

Enclosures No.

General No. 3881

No. 336-90

Enquiring what steps have been taken, if any, re the meeting, with powers to try petty ~~cases~~ civil cases, the Special Magistrate at the Kolar Gold Fields.

Regr and prie me
Mysore
2/12

No. 3881
336-90

(5)

From

The FIRST ASSISTANT to the RESIDENT in MYSORE.

To

The Dewan of Mysore.

Dated Bangalore, 2nd December 189

Sir,

The necessity of investing the Special Magistrate at the Kolar Gold Fields with powers to try petty Civil cases, has been brought to the Resident's notice, I am therefore directed, with reference to paragraph 3 of this office letter No. 244-[illegible] 90 dated the 23rd January 1891, to ask what steps, if any, have been taken to give effect to the suggestions made in this direction.

Vide report of the 37th monthly meeting of the Kolar Gold Fields Mining Board, dated 27th October 1890, page 5.

I have the honor to be,

Sir,

Your most obedient servant,

[signature]

First Assistant Resident.

No. 16285
J 906
encls as per list attached.

Office of the Dewan of Mysore
Dated Bangalore, 1st April 189
3

Fi. from U
Ch 21-92

(8)

The Dewan of Mysore

To

The Chief Judge

Sir

I have the honor to forward herewith the accompanying file of papers relating to the a proposal to invest the Hutti Wright with Civil jurisdiction over a small tract Embracing the Kolar gold mines.

2 I request your attention to the representations on the Subject made by the Mining Board in their letter 6th Ch Leg. and to the reply I gave to their delegate at the last Representative Assembly after Consulting you -

3 The Resident too apparently thinks that we may Concede fairly Grant to the Board the Concessions asked for

4 As we want at the Gold Mines also Officers of Status (with official judicial training) & ability to the Hutti Wright- and as it is likely that we shall always maintain a similar Officer there

it seems to me to be a waste of power not to utilize his services for the trial of ~~cases~~ the smaller kind of Civil Cases. This is to my mind a far more Efficient & less costly arrangement than the periodical deputation of the Kolar Mgr to try the small Pl. of Civil suits arising within the Bowringpett Taluk as proposed. Mr. Hume might be an Officer Corresponding to a Subl. Judge & his Salary is Rs 500/. per mensem. His decisions in Civil Cases will give greater satisfaction than those of the Kolar Mgr, and ~~He may~~ he can safely be entrusted with the Civil powers of a Sub Judge (including those of a Mgr) within Special small Cause jurisdiction up to a certain limit.

Now that the Railway jurisdiction is shortly to be transferred to the British Govt., an Officer appointed by the Govt of India is likely to deal with both Civil & Criml Cases arising within the Railway lines.

A similar arrangement as regards the Special Mining Industry ~~has~~ commends itself to me as a very desirable measure.

Thanking you

1/4/93

P.S. I return herewith a file of Correspondence relating to this subject which you appear to have obtained from the Chief Ct for perusal when you were officiating for me.

Regarding Mr Ramachendra Iyer's Scheme for the
appointment of a greater No. of Mffs., you
remark that it requires further consideration.
I wd suggest that the question of the improvement
of this Grade of the Judl Service (both as regards the
pay of the last grade which you advocate
& as regards Strength which Mr R-Iyer
supports) may be fully discussed)
and the Govt be favored with
any definite proposals arrived at——
But in the meantime I beg the favor
of an early reply as regards the
proposal to invest Mr Hume Wright
with Certain Civil powers with the Draft
of a Notn if any which you wd recommend the Govt to issue

(General Serial No. 29.)

12

1893.

(9)

From T. R. A. Thumboo Chetty Esq
Chief Judge of Mysore

To Sir K. Shashadri Iyer K. C. S. I.
~~The Secretary to the~~ Dewan
of Mysore.

Dated 9th May 1893.

Despatched

Received

Enclosures No.

General No. 2034 } 188 —8
No. 64 }

Adverting to paras 1 to 5 of letter No. 16285 / 906 dated 1st April 1893, recommends that Mr. H. Wright the Special Magistrate at the Kolar Gold Fields may be appointed as Munsiff of Kolar Gold Fields from and after 1st July 1893, having jurisdiction in suits and proceedings of a civil nature, of which the amount or value of the subject matter does not exceed Rs 1000 and with Small Cause jurisdiction up to Rupees 50 to be exercised within the local limits of the Revenue Taluq of Bowring Pet.

Chief Sec. Ch. 21-92

Please issue the notice as written - Send & Acct Rect. ~~Copies~~ & the Mining Board Copies of them in reply to letters from them. Return the chief ch file & them

12/5

Rec. 16/5

Draft to
mch. 17/5

№ 2034/64

13

(4)

Bangalore, 9th May 1893.

From

T. R. A. Thumboo Chetty Esquire,
Chief Judge of Mysore.

To

Sir K. Sheshadri Iyer, K.C.S.I
Dewan of Mysore

Sir,

Enclosures returned

Adverting to paras 1 to 5 of your letter № 16285/J. 906 dated 1st April 1893, on the subject of investing Mr. Hume Wright, the Special Magistrate at the Kolar Gold Fields with Civil Jurisdiction, I have the honor to state that, after giving the matter the best consideration, I and my Colleagues are of opinion that, as a tentative measure, the said Special Magistrate may be invested with the Jurisdiction of a Munsiff in suits and proceedings of a civil nature of which the amount or value of the subject matter does not exceed Rs. 1000, under Section 10 of the Mysore Civil Courts Regulation I of 1883; and further with Small Cause

Jurisdic

Jurisdiction up to Rs. 50, to be exercised within the local limits of the Revenue Taluq of Bowring Pet

2. I recommend the whole Taluq of Bowring Pet being placed under the Civil Jurisdiction of the Special Magistrate instead of only the Gold Fields for the following reasons.

3 The number of Suits, original and Small Cause, filed in the Court of the Kolar Munsiff, who now has jurisdiction over the Bowring Pet Taluq, during the past 6 years, is noted in the margin, from which it will be seen that, on an average, this Taluq contributes about 100 suits a year, of which about 50 per cent are suits below Rs. 50. During 1891 (the Statistics for 1892 not being available) there were 164 cases of which only 36 belonged to the Gold Fields and there were no Suits exceeding 500 Rupees. It seems, therefore, that if the Special Magistrate is to be given Civil powers only over the Gold

years	cases.
1886	748
1887	689
1888	574
1889	802
1890	977
1891	805
Total	4595

Gold Fields, he will have very few civil cases to dispose of. I have ascertained through the Deputy Commissioner that the Merchants in the Cusbah of Bowring Pet have no objection to the Munsiff's Jurisdiction over the Cusbah being transferred to the Gold Fields Munsiff on account of the increase in their business transactions with people in the Mines and the facilities of travelling which will soon be afforded to them as soon as the Gold Fields Railway Line is opened.

4. The Special Magistrate's Court is at present situated almost at the centre of the Bowring Pet Taluq as will be seen from the enclosed sketch, and all the Hobbies are within 9 or 10 miles of the Magistrate's Head Quarters. I, therefore, propose, with the concurrence of my Colleagues, that the Special Magistrate be allowed to exercise Civil Jurisdiction over the whole Taluq of Bowring Pet with effect from 1st July 1893, and I accordingly submit a draft Notification for issue.

should

should my proposal meet with the approval of Government I will apply to Government for additional establishment required for the civil work to be performed by the Special Magistrate as soon as orders are passed on this letter.

5. The question of increasing the number of Munsiffs and of raising the pay of Munsiffs of the last grade referred to in para 7 of your letter under reply, will form the subject of a separate communication.

I have the honor to be,
Sir,
Your Most Obedient Servant,

R. Thumboo Chetty
Chief Judge

16

(10)
a

Notification No. 19223
J. 1073

The Government of His Highness the Maha Rajah of Mysore hereby notify, for general information, that, from and after the 1st day of July 1893, there shall be established in the Kolar Gold Fields, Kolar District, a Munsiff's Court to be called "The Kolar Gold Fields Munsiff's Court", and the Munsiff appointed to the said Court shall exercise the jurisdiction of a Munsiff, under Section 10 of the Mysore Civil Courts Regulation 1883, in all original suits and proceedings of a civil nature not otherwise exempted from his jurisdiction.

Which

which the amount or value of the subject matter does not exceed Rs. 1000, within the local limits of the Revenue Taluk of Bowringpet in the said Kolar District.

2 From and after the said date, the Munsiff of Kolar shall cease to exercise any civil jurisdiction over the said Taluk.

18 Aug 17/5

No. 19224 / J. 1074.

Mr. Huma Wright Special Magistrate, Kolar Gold Fields, is appointed Munsiff of the Kolar Gold Fields with effect from 1st July 1893.

2 Under Section 16

of

of the Mysore Civil Courts' Regulation 1883, Mr. Hume Wright, Munsiff of the Kolar Gold Fields is hereby invested with the powers of a Court of Small Causes within the local limits of his jurisdiction for the trial of Suits cognizable by such Court and not exceeding Rs. 50 in value with effect from 1st July 1893

By Order
17/5

Oh 8/1893

1893.

(10)

To

The Compiler, Mysore Gaz-
-zette
Bangalore

Dated May 1893.

Desp'd -

No. 19225
J. 1075

Has the honor to forward herewith for publication in the Mysore Gazette ~~the next issue of the~~ Notifications investing ~~the Hon'ble Major Knight~~ the Special Magistrate, Kolar Gold Fields, with Civil powers from 1st July 1893.

By order

1/5

Chief Secretary

2 The Nos. should be set up in type at once and a Dozen spare sets furnished before Saturday for use in the Dewan's Press

(General Serial No. 30.)

189

From

The Chief Secretary
to the Dewan of Mysore.

To

Dated

Despatched

Received

Enclosures No.

General No.

No.

References to be marked.

Rets
18/5

CS 21-1893-Sep

21

1893 (11)

No. 19483 / J 1087 dated 29/8/93

To

The Registrar of the
Chief Court in Mysore

Sir,

I am directed to acknowledge the receipt of letter No. 2034/64 dated 9th May 1893 from the Chief Judge to the address of the Dewan of Mysore forwarding a draft notification investing Mr Hume Wright Special Magistrate, Kolar Gold Fields, with Civil powers

2 In reply, I have the honor to state for the information of the Judges

of the Chief Court that Government approve of the Notification and the same has been forwarded to the Compiler, Mysore Gazette for publication.

3. The enclosures received with the letter under reply are herewith returned.

I have &c

18/5

Chief Secy

No. 1484
J 1088

Copy of the Dept. Notn. Polar Dept. for info with a printed copy of the Notn.

18/5

Retd 18/5

Ch 21-1892 SEC 9

No. 19482 / J 1086 / 1893 dy 18/5-

(12)

To

The Secretary to the
Kolar Gold Field Mining
Board.
Oorgaum

Sir,

With reference to your letter dated 26th ult August 1892 communicating the resolution of the Mining Board in re investiture of the Special Magistrate, Gold Fields, Kolar with Civil powers, I have the honor to forward for your information and communication to the Mining Board ^ Copies of Notification investing

Retd 18/5

the said Magistrate
with Civil powers from
1st July 1893

Shaw Stan

Draft 10/5

Chief Secy

25 No. 1968. 17/5/93
J 1085

1893

810
H 21-98

(13)

To

The 1st Assistant to the
Resident in Mysore

In reply to your
letters Nos. 244/336-90 and 3881/336-90
23rd Decr/91 and 2nd Decr/92
respectively bringing to the
notice of Government the
necessity of investing the
Special Magistrate at the
Kolar Gold Fields with
petty
powers to try Civil cases
I am directed to forward
for information of the
posted
Resident a Copy of a Notifi
Whiskeering
cation issued this day

Ctd
18/5

investing the said Ma-

gistrate with Civil powers

from 1st July 1893.

I have &c.

18/5/93

Chief Secy.

811
421-98

(General Serial No. 30.)

(14)

1892/93/3899

20 MAY 93

DEPARTMENT OF MYSORE

From The Secretary
The Kolar Gold Fields Limited
Bangalore

To

Dated 27th May/93

Despatched

Received

Enclosures No.

General No.
No.

Conveying thanks for investing the Special Magistrates of the Kolar Gold Fields with Civil powers from 1st July 1893

J Munn
29/5/93

may be filed
4/6/93

filed

2V

(14)

THE KOLAR GOLD FIELD MINING BOARD.

OORGAUM

Mysore Province, 27th May 1893

The Chief Secretary
to the Dewan
of Mysore.
Mysore Dewan's Office
Bangalore.

Sir,

I am instructed by my Board to acknowledge the receipt of your letter of the 15th inst no $\frac{19482}{1086}$, enclosing copies of printed notifications investing the Special Magistrate of the Kolar Gold Field with civil powers, from the 1st July 1893.

In reply I have the honor to State that the Board have instructed me to thank the Dewan for Considering the application of the Board and that they are pleased to observe from the notifications that the powers asked for are granted.

I have the honor to be
Sir
your most obedient Servant

John B Ghuch

Secretary.